

REMARKS

The specification has been amended to further clarify the priority claim, and claims 20 and 21 have been amended. No new matter has been added by virtue of the amendments.

Claims 1-6 and 22 were rejected under the doctrine of obviousness-type double patenting over certain claims of U.S. Patent 5939236. The rejection is traversed.

The present application is a divisional application of the cited patent. The priority claim on page 1 of the application has been amended to recite "divisional" rather than "continuation". The cited patent contains substrate claims, which were restricted from the present claims in paper no. 3 dated April 7, 2003 in the present case. Accordingly, the cited patent is not available to sustain the instant rejection. See Section 804 of the Manual of Patent Examining Procedure.

In view thereof, reconsideration and withdrawal of the rejection are requested.

Claims 1 and 5 were provisionally rejected under the doctrine of obviousness-type double patenting over claim 13 of U.S. patent application 09/918399. The provisional rejection is traversed.

Based on the above discussions, where it is submitted that all prior rejections are properly withdrawn, it is believed the instant provisional rejection also should be withdrawn. See, Section 804 of the Manual of Patent Examining Procedure, which states in part:

If the "provisional" double patenting rejection in one application is the only rejection remaining in that application, the examiner should then withdraw that rejection and permit the application to issue as a patent, thereby converting the "provisional" double patenting rejection in the other application(s) into a double patenting rejection at the time the one application issues as a patent.

Withdrawal of the provisional rejection is requested.

It is believed the application is in condition for immediate allowance, which action is earnestly solicited.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Peter F. Corless', is written over a horizontal line.

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